IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24507 of 2008
BITTU DOM
Versus

STATE OF BIHAR
- - - -

3. 21.8.2008 Heard.

The case relates to picking up the pocket of the informant and thereby taking out Rs. 2700/- from it. The petitioner was caught and assaulted by the passengers who were in and out side the trial Jannayak Express which was standing at Narkatiaganj Railway Station.

The contention is that the petitioner is an innocent man and that he does not bear any criminal history and for a fight of having a seat so as to sleeping in the train the petitioner appears falsely implicated. The next contention is that the innocence of the petitioner could be indicated by the absence of his signature on the seizure memo.

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So long one is not caught red handed, as the petitioner was, every one has to assume that he is innocent but when one is found indulging in act complained of then the Court requires some compelling material to convince it. The petitioner was caught red

handed and recovery was also made from the petitioner, considering which the petition is dismissed.

Kanth

(Dharnidhar Jha, J.)

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